



September 20, 2011

Delta Stewardship Council
980 Ninth Street, Suite 1500
Sacramento, California 95814

Re: The Fifth Draft Delta Plan

Bill George, Chair
Marty Hanneman, Vice
Chair

Members

California American Water
Carmichael Water District
Citrus Heights Water District
Del Paso Manor Water District
El Dorado Irrigation District
Fair Oaks Water District
Folsom, City of
Fruitridge Vista Water
Company
Golden State Water Company
Lincoln, City of
Orange Vale Water Company
Placer County Water Agency
Rancho Murieta Community
Services District
Roseville, City of
Rio Linda / Elverta Community
Water District
Sacramento, City of
Sacramento County Water
Agency
Sacramento Suburban Water
District
San Juan Water District
West Sacramento, City of

Associates

El Dorado County Water
Agency
Sacramento Municipal Utility
District
Sacramento Regional County
Sanitation District

Dear Chairman Isenberg and Members of the Council:

I am writing to express the Regional Water Authority's concern with the draft Delta Plan being developed by the Delta Stewardship Council. RWA represents 20 water suppliers serving two million people in the greater Sacramento region.

Though the fifth draft of the plan shows considerable improvement over previous drafts, in its current form we do not believe it will contribute meaningfully to meeting the co-equal goals of improved water supply reliability and Delta ecosystem health. The potential negative impacts on the water supplies of users upstream of the Delta are of great concern, and clear environmental outcomes for the Delta are lacking. Add to this the proposal for hundreds of millions of dollars in fees to fund a governance structure that is not well defined, and the plan is very difficult to support.

Since the fifth staff draft will provide the basis for the upcoming environmental review, it is critical that the council redirect its efforts now and make policy choices that will actually improve water supply reliability and ecosystem health.

The plan in its current form is vague about what levels of water supply local agencies might expect in the future. Local water managers need certainty to appropriately plan for providing water to their customers while contributing to protecting local environmental resources. Recommendation WR R5 is especially troubling. The language of the recommendation implies that senior water rights holders in the area of origin of the state's water supplies could be forced to undertake costly alternatives to increased diversion and storage of surface water to meet future needs. This seems to violate specific water rights protections included in the Delta Reform Act (Water Code Section 85031(a)).

It is troubling that the plan seeks to prescribe water management decisions on everything from rate structures to recycling targets. Rather than integrating the ongoing efforts of local and regional agencies, the plan proposes micromanagement from Sacramento that would undercut local planning hundreds of miles from the Delta – literally from the Oregon border to Mexico. Local water managers, rather

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than the state or federal government, have made most of the significant improvements in the state's water supply reliability over the last three decades, while expanding their role in stewardship of environmental resources. Dictating the management actions of local agencies will undermine their ability to develop innovative solutions to the needs of water users and the environment.

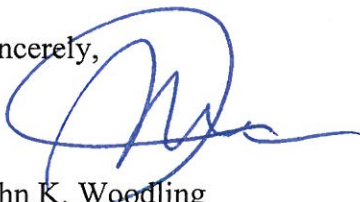
The fifth draft's focus on flow as the primary element of a solution is not well founded, and will undermine the water supply side of the coequal goals. Policy ER P1 proposes an unrealistic timeframe for completion of new flow objectives for the Delta and tributaries by the State Water Resources Control Board. While this work is important, it must be done in a manner that is well founded in science and balances the coequal goals. Proposing an unattainable timeframe, and calling for a moratorium on water rights actions when it is not met, has no clear benefit to either of the coequal goals.

The final area of greatest concern is the finance section, specifically Recommendation FP R6. The Delta Plan provides no information to suggest that the scientific understanding of stressors is adequate to equitably assess fees, yet the Council asks the legislature for the authority to assess half a billion dollars over ten years for the operation of Delta governance. Such action by the legislature and the council would be premature. The plan does not clearly identify specific actions or their benefits and beneficiaries that would lead to local investment and equitable financing.

RWA was an active part of the Ag-Urban Coalition convened by ACWA and the development of an Alternative Delta Plan. The alternative provides a comprehensive approach to achieving the coequal objectives and addresses many of the concerns above. I respectfully urge the council to consider the Alternate Delta Plan submitted by the coalition and work with us to find the best options to meet the coequal goals. I am pleased that the council has held additional workshops in September to discuss some of the critical issues on the Delta Plan and gain valuable input.

Thank you for your time and consideration of these comments. Please contact me at (916) 967-7692 if you have any questions.

Sincerely,



John K. Woodling
Executive Director
Regional Water Authority